IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO : 5079 of 1995

Between:

1 Smt. Vangala Satya Vani W/o. Venakata Ratna Rao,
R/o. D.No. 35-3-19, Vemurivari Lane, Digumartivari Street,

Kakinada.
2 Smt. M.S.V.S.N.B.A.K.Prasanna Kumari, W/o. Bhanu Murthy,
R/o. D.No. 35-3-19, Vemurivari Lane, Digumartivari Street,

Kakinada.
3 Smt. D. Sunita Devi W/o. Sri D.S.S. Raju
R/o. D.No. 3-1, Rajupalem, Via G. Mamidada, Pedapudi

Mandalam, East Godavari Dist.
4 Sri Datla Surya Subrahmanyam Raju S/o. Lakshmipathi Raju
R/o. D.No. 3-1, Rajupalem, Via G. Mamidada, Pedapudi

Mandalam, East Godavari Dist.

..... PETITIONERS

AND

The Land Acquisition Officer & Revenue Divisional Officer
Kakinada.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of 'Writ of Mandamus' directing the respondent herein to refer the matter to the Civil Court in respect of properties, Viz. plots admeasuring 1782 Sq.yards forming part of Survey No. 292/1 of Ramanayyapeta Village, belonging to the petitioners in pursuance of their application dated 18.1.1993 made under Section 18 of the Land Acquisition Act.

Counsel for the Petitioners:MR.DEEPAK BHATTACHARJEE
Counsel for the Respondent: GP FOR LAND ACQUISITION

The Court made the following O R D E R:

Heard learned counsel for the parties.

Counter has not been filed. The only grievance of the petitioners is that an award has been passed and they have accepted the compensation under protest. They made an application for making a reference to the civil Court under Section 18(2) of the Land Acquisition Act, 1894 (for short “the Act”), but the Land Acquisition Officer has not made the reference so far.

In these circumstances, the writ petition is disposed of with a direction to the Land Acquisition Officer & Revenue Divisional Officer, Kakinada to make the reference in terms of Section 18(2) of the Act, if an application was made, within time, by the petitioners. No order as to costs.

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(Bilal Nazki,J)

Date:3rd March, 2005

vrn

To

1. The Land Acquisition Officer & Revenue Divisional Officer
   Kakinada.

2. Two C.Cs to the G.P. for Land Acquisition, High Court Buildings,

A.P., Hyderabad.

3. Two C.D copies.